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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:  
FRANK J. MARCONE

: MISCELLANEOUS ACTION  
: NO. 08-164  
: [UNDER SEAL]

FILED

SEP 16 2008

MICHAEL E. KUNZ, Clerk  
By TOP Dep. Clerk

ORDER TO SHOW CAUSE

AND NOW, this 16<sup>th</sup> day of September, 2008, it appearing that there are allegations that Frank J. Marccone, Esquire has engaged in the practice of law in the Commonwealth of Pennsylvania in violation of the September 10, 2004 Order of the Pennsylvania Supreme Court as particularly set forth in the June 30, 2008 Memorandum Opinion of Magistrate Judge David R. Strawbridge in Schiller v. Hershowitz, Civil Action No. 07-3823, attached hereto as Exhibits "A" and "B," it is hereby ORDERED pursuant to Rule 83.6 (Rule V) of the Local Rules of Civil Procedure of this court, that:

- (1) the said Frank J. Marccone shall show cause why he should not be subject to discipline by this court;
- (2) he shall file a response to this Order to show cause on or before October 16, 2008; and
- (3) a panel consisting of Judges John R. Padova, Bruce W. Kauffman and Juan R. Sanchez shall thereafter conduct a

hearing in this matter and shall make a report and recommendation to the court.

BY THE COURT:

  
C.J.

9-16-08  
copy mailed to  
Frank J. Marcone  
Copy given to Gayle Olson